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October 30, 2024

Via ECF

The Honorable Sarah L. Cave, U.S.M.J.
U.S. District Court,
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Hall-Landers. v. New York University*, Case No. 1:20-cv-03250-GBD-SLC
**Request to File Portions of Reply in Support of Plaintiff's Motion for Class
Certification and Certain Accompanying Documents Under Seal**

Dear Judge Cave:

Pursuant to Rule I(F) of Your Honor's Individual Rules of Practice, Plaintiff respectfully requests that the Court permit Plaintiff to file material in connection with Plaintiff's Reply Memorandum of Law in Support of Plaintiff's Motion for Class Certification ("Reply") and the Second Declaration of Sarah N. Westcot in Further Support of Plaintiff's Motion for Class Certification with exhibits ("Second Westcot Declaration") under seal. Plaintiff will publicly file a redacted version of these documents, with all information that is non-confidential unredacted.

The reason for this request is that the Reply and exhibits to the Second Westcot Declaration contain Plaintiff's protected and/or private health information, which must be sealed because Plaintiff has a privacy interest in their health information and because where, as here, Plaintiff's health information is not directly at issue, sealing is appropriate. *Valentini v. Grp. Health Inc.*, 2020 WL 7646892, at *2 (S.D.N.Y. Dec. 23, 2020); *Robinson v. De Niro*, 2022 WL 2712827, at *2 (S.D.N.Y. July 12, 2022). In its September 19, 2024 Order, this Court found that Plaintiff's protected and/or private health information was properly sealed (ECF No. 150). As such, Plaintiff requests that such information be sealed (Second Westcot Dec., Ex. 1 and certain portions of Reply).

Further, NYU has marked the deposition transcript of Martin Dorph and Clay Shirky as confidential. As a result of agreeing to the Protective Order, Plaintiff is compelled to submit this motion to file the materials provisionally under seal.

Thus, Plaintiff respectfully requests that the Court permit Plaintiff to electronically file an unredacted version of Plaintiff's Reply and supporting materials under seal, subject to the Court's discretion to unseal all or some portion of the filings.

Plaintiff's request at ECF No. 163 is **GRANTED**, and the submissions are accepted as filed.

The Clerk of Court is respectfully directed to close ECF No. 163.

SO ORDERED. October 31, 2024


SARAH L. CAVE
United States Magistrate Judge

Absent a ruling on Plaintiff's request to file under seal here, to comply with the Court's scheduling in this matter, Plaintiff will file a redacted version of the materials on the public docket and provide the Court and Defendant with unredacted versions separately.

Sincerely,

A handwritten signature in black ink, reading "Sarah N. Westcot". The signature is written in a cursive, flowing style.

Sarah N. Westcot